

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Public Works	(2) MEETING DATE 1/24/2012	(3) CONTACT/PHONE Phil Acosta, Right of Way Agent (805) 781-5290	
(4) SUBJECT Submittal of Amendment to Real Property Transfer Agreement with Philip D. Gray and Carolyn M. Gray, Los Osos Wastewater Project, Los Osos, CA (WBS 300448.05).			
(5) RECOMMENDED ACTION It is our recommendation that your Honorable Board: 1. Approve and execute one original of the amendment to Real Property Transfer Agreement; and 2. Authorize the Public Works Director, or his designee, to execute any remaining documents necessary to close this transaction.			
(6) FUNDING SOURCE(S) Los Osos Wastewater Project	(7) CURRENT YEAR FINANCIAL IMPACT N/A	(8) ANNUAL FINANCIAL IMPACT N/A	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Presentation <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Board Business (Time Est. _____)			
(11) EXECUTED DOCUMENTS <input type="checkbox"/> Resolutions <input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A		(12) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: N/A <input type="checkbox"/> 4/5th's Vote Required <input checked="" type="checkbox"/> N/A	
(13) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(14) W-9 <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	
(15) LOCATION MAP Attached	(16) BUSINESS IMPACT STATEMENT? No	(17) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date 7/26/11, A-12	
(18) ADMINISTRATIVE OFFICE REVIEW <div style="text-align: center; font-family: cursive; font-size: 1.2em; margin-top: 20px;">Nikki J. Schmidt</div>			
(19) SUPERVISOR DISTRICT(S) District 2 -			

Reference: 12JAN24-C-7

County of San Luis Obispo



TO: Board of Supervisors

FROM: Public Works
Phil Acosta, Right of Way Agent

VIA: Dave Flynn, Deputy Director of Public Works

DATE: 1/24/2012

SUBJECT: Submittal of amendment to Real Property Transfer Agreement with Philip D. Gray and Carolyn M. Gray, Los Osos Wastewater Project, Los Osos, CA (WBS 300448.05).

RECOMMENDATION

It is our recommendation that your Honorable Board:

1. Approve and Execute one original of the amendment to Real Property Transfer Agreement; and
2. Authorize the Public Works Director, or his designee, to execute any remaining documents necessary to close this transaction.

DISCUSSION

On July 26, 2011, your Board authorized the execution of a Real Property Transfer Agreement and the related acceptance of an Easement Deed from Philip D. Gray and Carolyn M. Gray, Trustees, conveying to the County a Temporary Construction Easement required for construction of the Los Osos Wastewater Project.

It was subsequently determined that the County's project plans did not reflect any wastewater service laterals for the subject property (APN 038-721-(030, 033)). The attached Amendment to Real Property Transfer Agreement and related Exhibit are intended to document the location of wastewater service laterals to be constructed for the Owner's future connection(s) of the subject property to the wastewater system.

An additional benefit to the clarification of the County's construction of the subject wastewater "stub-outs" at this time is to avoid unnecessary future disturbances to County streets and roads and related traffic concerns.

OTHER AGENCY INVOLVEMENT/IMPACT

The County Tax Collector and Auditor-Controller will be involved during the issuance and collection of bonds. The Office of County Counsel is providing legal guidance on all aspects of the Project and has reviewed and approved the Amendment to Real Property Transfer Agreement as to legal form and effect.

San Luis Obispo County Environmental Coordinator has provided the necessary environmental document for the project. Many agencies have been involved with the project and the necessary project permits have been received from the following: Coastal Commission, County Planning & Building, and the Regional Water Quality Control Board.

FINANCIAL CONSIDERATIONS

The amendment to Real Property Transfer Agreement is intended to clarify the obligations of the parties and no further appraisal or compensation is necessary. The project is otherwise funded under a combination of Federal (USDA), State, and Local funds and assessments budgeted under the Los Osos Wastewater Project (WBS 300448).

RESULTS

The intended result of this recommendation is to clarify construction details and affirm the disposition of future costs of connection. This provides for a well governed and more livable community.

c: John Waddell, Project Manager

File: Los Osos Wastewater Project WBS 300448

Reference: 12JAN24-C-7

L:\DESIGN\JAN12\BOS\Gray Amendment bd ltr.doc.PA:mac

ATTACHMENTS

1. Vicinity Map
2. Amendment to Real Property Transfer Agreement